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A limited liability partnership formed in the State of Delaware

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Attorneys for Plaintiff
Walker & Zanger, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WALKER & ZANGER, INC., a New York
corporation

Plaintiff,

vs.

PARAGON INDUSTRIES, INC., d/b/a
BEDROSIANS, a California corporation

Defendant.

No. C-04-01946-VRW

**SECOND STIPULATION AND
[PROPOSED] ORDER CONTINUING
HEARING DATE FOR PLAINTIFF'S
MOTION TO STRIKE SUPPLEMENTAL
REBUTTAL EXPERT REPORT OF DR.
SANDRA COGAN**

On March 24, 2006, Plaintiff Walker & Zanger, Inc. ("Walker Zanger") filed its "Motion to Strike Defendant Paragon Industries, Inc.'s Supplemental Rebuttal Expert Report of Dr. Sandra Cogan," for the hearing date of April 28, 2006.

On March 31, 2006, counsel for Defendant, Paragon Industries, Inc. ("Paragon"), I Braun Degenshein, became very ill and ultimately had to be admitted to the Emergency Room at Kaiser Permanente Hospital in Oakland on April 2, 2006. As a result, on April 4, 2006, the parties filed a Stipulation and Proposed Order Continuing Plaintiff's Motion to Strike Supplemental Rebuttal Expert Report of Dr. Sandra Cogan. The Court approved that Stipulation and entered an Order accordingly on or about April 5, 2006.

Due to further complications, Mr. Degenshein had to undergo surgery on Monday April 10, 2006 and will need additional time for recovery from the surgery. Mr. Degenshein therefore has requested a one month continuance for the hearing date on the above-mentioned motion from Plaintiff's counsel, William Overend, and such request was granted.

Accordingly, the parties have agreed to stipulate to continuing the hearing date for the Motion to Strike Supplemental Rebuttal Expert Report of Dr. Sandra Cogan to **June 2, 2006**. The new deadline for filing the Opposition is 21 days before June 2, and the new deadline for filing the Reply is 14 days before the hearing date, pursuant to Local Rule 7-7(a). Accordingly, the parties stipulate to the following deadlines and respectfully request that they be approved by this Court:

Last Day to File/Serve Opposition to Plaintiff's Motion to Strike Supplemental Rebuttal Expert Report of Sandra Cogan: **May 12, 2006**.

Last Day to File/Serve Reply Brief in Support of Plaintiff's Motion to Strike Supplemental Rebuttal Expert Report of Sandra Cogan: **May 19, 2006**.

1 New Hearing Date for Plaintiff's Motion to Strike Supplemental Rebuttal Expert
2 Report of Sandra Cogan: **June 2, 2006.**

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4 DATED: April 11, 2006.

5 REED SMITH LLP

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7 By /s/
8 William R. Overend
9 Attorneys for Plaintiff
Walker & Zanger, Inc.

10 DATED: April 11, 2006.

11 JORA TRANG

12
13 By /s/
14 Jora Trang, acting on behalf of I Braun
15 Degenshein
16 Attorneys for Defendant
Paragon Industries, Inc.

17 **ORDER**

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20 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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22 DATED: April 17, 2006.

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26 JOSEPH C. SPERO
United States Magistrate Judge

